

Appl. No. 09/720,228
Amdt. Dated July 28, 2004
Reply to Office Action of January 30, 2004

REMARKS

Status of the Claims

Claims 8-24 are pending in the application.

Claims 15-17 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Claims 8-15 and 18-24 were rejected under 35 U.S.C. §102(e) as being anticipated by Thomas et al. Claims 8 - 24 have been amended. No new matter has been added.

Claims Rejections under 35 U.S.C. §112, second paragraph

Claims 15-17 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner objected to claim 15 for having the language "reeling carriage" in addition to the elements of claim 18, which include a "slide" and a "supporting surface." Applicant respectfully asserts that the slide is separate and distinct from the reeling carriage. Accordingly, the Examiner's rejection is traversed. The reeling carriage's purpose is to move the reel on the slide, as is shown in Figs. 4b and 4c. The reel spool does not roll during reeling. Rather, the reel spool is transferred in a controlled manner on the support of the slide and by means of a separate reeling carriage (page 7, lines 27 to 34). Claim 18 has been amended to more clearly describe this relationship. Accordingly, claim 15 and claim 16 - 17, which depend therefrom are not indefinite in light of claim 18. Therefore, it is respectfully requested that the Examiner withdraw the 35 U.S.C. §112 rejection of claims 15 - 17.

Claims Rejections - 35 U.S.C. §102(e)

Claims 8-15 and 18-24 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,967,449 to Thomas et al (hereinafter "Thomas"). Applicant respectfully asserts that claims 8 - 15 and 18 - 24 are not anticipated by Thomas.

Claim 8 is directed to a reel up of a web. Claim 8 claims a reeling means, a slide, and a reel spool. Claim 8 additionally claims a slide having a supporting surface structured and arranged to retain the reel spool. Claim 8 now claims that the slide is movable for having a variable space between the reeling means and the slide. Claim 8 now further claims that the slide is movable from a functional vicinity of the reeling means for moving the reel spool having a reel being formed away from the reeling means during the reeling process to a vicinity of the fixed bearing surface for rolling of the reel spool having a reel being formed or the complete roll from the supporting surface onto the fixed bearing surface. Thus, claim 8 now clearly claims a slide that is structurally distinct and detached from the reeling means. The slide of claim 8 is independently movable relative to the reeling means. Moreover, movement of the slide does not require reciprocal movement of the reeling means. The structure of the slide of claim 8 enables a simplified design to the reel up because the weight of the reeling means does not affect the slide. Thus, control of the slide requires

less power.

Thomas does not disclose a movable slide that has a variable space between the reeling means and the slide. Thomas further fails to disclose a slide that is movable from a functional vicinity of the reeling means for moving the reel spool having a reel being formed away from the reeling means during the reeling process to a vicinity of the fixed bearing surface for rolling of the reel spool having a reel being formed or the complete roll from the supporting surface onto the fixed bearing surface. Rather, the slide of Thomas is not separate from the reeling means. Accordingly, movement of the slide of Thomas requires reciprocal movement of the reeling means. Moreover, the structure of the Thomas slide does not enable simplified reel up design because the weight of the reeling means affects the slide. Thus, control of the slide require increased power.

Claim 18 is directed to a method for reeling a web. Claim 18, similar to claim 8, requires a reeling means, a slide, and a reel spool. Claim 18 now claims a slide that is movable for having a variable space between the reeling means and the slide. Thus, claim 18 now clearly claims a slide that is structurally distinct and detached from the reeling means, and, therefore, independently movable relative to the reeling means. Accordingly, movement of the slide does not require movement of the reeling means. As discussed with respect to claim 8, Thomas does not disclose a slide that is separate from the reeling means. Rather, movement of the slide of Thomas requires

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reciprocal movement of the reeling means.

Therefore, for at least the reasons discussed above, independent claims 8 and 18 are patentable over Thomas. Dependent claims 9-17 and 19-24 depend from independent claims 8 and 18 and are allowable for at least the reasons discussed with respect to claims 8 and 18. Accordingly, Thomas does not anticipate or teach the present invention and the rejection under 35 U.S.C. §102(e) should be withdrawn. Reconsideration of the present application, as amended, is respectfully requested.

Conclusion

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

In view of the above amendments it is submitted that the Examiner's rejections have been overcome and should be removed and the present application should now be in condition for allowance.

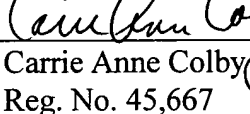
A petition for two additional months of extension with the requisite fee is attached herewith.

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In the event that any other fees are required, the Patent and Trademark Office is specifically authorized to charge such fee to Deposit Account No. 50-0518 in the name of Steinberg & Raskin, P.C.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,
STEINBERG & RASKIN, P.C.

By: 
Carrie Anne Colby
Reg. No. 45,667

Steinberg & Raskin, P.C.
1140 Avenue of the Americas
New York, New York 10036
(212) 768-3800